

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

LEITYA T. HARRIS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:21-cv-512 (RDA/TCB)
	)	
KILOLO KIJAKAZI, <i>Acting Commissioner</i>	)	
<i>of Social Security,</i>	)	
	)	
Defendant.	)	

**ORDER**

This matter comes before the Court upon the Report and Recommendation (“Recommendation”) issued by Magistrate Judge Theresa Buchanan on December 6, 2021. Dkt. 25. In this Social Security Administration appeal, Judge Buchanan recommends that the Court grant the parties’ Consent Motion to Remand and remand this matter back to the Social Security Administration, deny as moot Plaintiff Leitya T. Harris’s (“Plaintiff”) Motion for Summary Judgment, dismiss this matter, and direct the Clerk of the Court to enter final judgment under Federal Rule of Civil Procedure 58. Pursuant to Federal Rule of Civil Procedure 72(b)(2), the deadline for submitting objections to Judge Buchanan’s Recommendation was December 20, 2021. To date, no objections have been filed.

After reviewing the record and Judge Buchanan’s Recommendation, and finding no clear error,<sup>1</sup> the Court hereby APPROVES and ADOPTS the Recommendation. Dkt. 25. Accordingly, the parties’ Consent Motion to Remand (Dkt. 24) is GRANTED; and it is

---

<sup>1</sup> See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (holding that in the absence of any objections to a Magistrate Judge’s Recommendation, the Court “need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation’”).

FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (Dkt. 21) is DENIED as MOOT; and it is


FURTHER ORDERED that the Clerk of the Court update the docket to reflect that Kilolo Kijakazi, Acting Commissioner of Social Security, has been automatically substituted for Andrew Saul as the Defendant in this suit pursuant to Federal Rule of Civil Procedure 25(d); and it is

FURTHER ORDERED that this matter is dismissed.

The Clerk is directed to enter judgment in favor of Plaintiff pursuant to Federal Rule of Civil Procedure 58, forward copies of this Order to counsel of record, and close this civil action.

It is SO ORDERED.

Alexandria, Virginia  
December 21, 2021

/s/   
\_\_\_\_\_  
Rossie D. Alston, Jr.  
United States District Judge